

REMARKS

The non-elected claims 3, 4, 7, 12-16 and 19-28 are being retained in this application, unexamined, pending allowance of a generic or linking claim.

Claims 17 and 18 have been rejected under 35 U.S.C. § 112, ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

These claims have been amended in consideration of the Examiner's comments and suggestions to define the invention with greater particularity using terms that find adequate antecedent basis in the written description of the specification and, with new dependent claim 29 presented herewith, are now submitted to be patentable to Applicants.

Claims 17, 18 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Starksen '161. This rejection is respectfully traversed with respect to these claims as amended herein.

As amended, claim 17 specifically recites “a suction attachment supported by the cannula for contacting an exterior target site on the heart,” and “a support channel for a cardiac lead that is disposed on the suction attachment and that includes coaxial mating segments that are relatively rotatable about a coaxial axis thereof, each segment having a longitudinal slot extending between distal and proximal ends thereof for selective configuration as a closed channel in one

relative rotational orientation for confining a cardiac lead therein or as a channel open longitudinally between proximal and distal ends thereof in another relative rotational orientation for releasing a cardiac lead laterally therefrom.”

In addition, dependent claim 18 is further limited by recitation of “a cardiac lead connected to an electrode disposed near a surface of the suction attachment to contact the heart externally, the cardiac lead extending along the support channel in the closed configuration to the proximal end thereof for connecting the electrode to a utilization circuit and being releasable laterally from the support channel through the longitudinal slot formed therein in the open configuration.”

These aspects of the claimed invention are not disclosed by Starksen ‘161 which relies upon a steerable cannula for intraluminal penetration into a heart chamber, where the cannula has only a splittable sidewall and no relatively rotatable coaxial segments, as claimed by Applicants, for selectively configuring a longitudinal sidewall opening. Also, this reference is deficient of any suction attachment on the cannula suitable for contacting an exterior target site on the heart, in any manner resembling Applicants’ claimed invention. At best, a suction attachment on the structure of this reference would undesirably operate to vacuum blood from within the heart or the vessel by which the structure accesses an inner chamber of the heart. It is therefore respectfully submitted that claim 17 and

claims 18, 29 which depend therefrom are not anticipated by, but instead are patentably distinguishable over, the cited art.

The Examiner is invited to contact the undersigned attorney for the Applicants regarding any issue that may expedite favorable disposition of this application.

Respectfully submitted,
Albert K. Chin et al.

Dated: 08/13/07

By: /Albert C. Smith/
Albert C. Smith, Reg. No.: 20,355
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7296
Fax.: (650) 938-5200